

Introduced: 4/9/80
Referred: Health, Education &
Social Services

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE BILL NO. 998

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a residential medical care program
7 for children needing continuous medical care."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 47 is amended by adding a new chapter to read:

10 CHAPTER 9. RESIDENTIAL MEDICAL CARE PROGRAM FOR CHILDREN.

11 Sec. 47.09.010. RESIDENTIAL MEDICAL CARE PROGRAM. There is
12 established in the Department of Health and Social Services a residential
13 medical care program to provide medical care for children who require
14 continuous medical care, but who do not need to be kept in a hospital.
15 Care for the children in this program shall be provided in residential
16 rather than institutional settings.

17 Sec. 47.09.020. ADMINISTRATION. (a) The department shall
18 administer the residential medical care program. It shall adopt regu-
19 lations to provide minimum standards for

20 (1) residential care facilities, including accessibility
21 requirements;

22 (2) medical services to be provided;

23 (3) live-in and day care programs; and

24 (4) staff requirements.

25 (b) Within the limits of appropriations made for the purpose, the
26 department may enter into contracts for services with local or state
27 agencies which are able to provide the required residential medical care
28 for children.

29 Sec. 47.09.030. ELIGIBILITY REQUIREMENTS. To be eligible for

1 services under the residential medical care program, a child must

2 (1) be under the age of 18 years;

3 (2) be under the care of a physician who diagnoses the
4 child's condition as sufficiently serious to warrant consideration for
5 the program;

6 (3) be presently residing in, or in immediate need of
7 residing in, a hospital or other medical facility for the purpose of
8 receiving intensive support medical services; and

9 (4) suffer from diagnosed

10 (A) respiratory impairment with an acquired or congeni-
11 tal defect of the oropharynx, trachea, bronchial tree, or lung
12 requiring a respiratory assistance device in order to allow the
13 disease to heal or the child to grow to a sufficient size to live
14 normally;

15 (B) respiratory impairment with multiple physical
16 impairments, including acquired or congenital defects of the
17 central nervous system or multiple organ systems requiring a
18 respiratory assistive device or other medical, surgical, or
19 physical therapy treatment in order to allow the disease to heal,
20 the child to gain sufficient size to permit surgical correction of
21 the defect, or the child to grow large and strong enough to acquire
22 the ability to care for himself without continual medical super-
23 vision;

24 (C) multiple physical impairments with congenital or
25 acquired defects of multiple systems and at least some central
26 nervous system impairment that causes loss of urine and stool
27 sphincter control as well as paralysis, loss, or reduced use of two
28 or more extremities, forcing the child to be dependent on a wheel-
29 chair or other total body mobility device, and also requiring

1 medical, surgical, and physical therapy in order to allow him to
2 grow to a size that permits surgical correction of the defects or
3 allows him to grow strong and large enough to acquire the ability
4 to care for himself without continual medical supervision; or

5 (D) static encephalopathy with severe brain insulata of
6 acquired or congenital origin causing the child to be totally
7 dependent for all bodily and social functions except cardio-
8 respiratory, so that he requires continuous daily medical super-
9 vision.

10 Sec. 47.09.040. PROGRAM PLAN. (a) In cooperation with the
11 child's parents or legal guardian and under the supervision of the
12 child's physician, a written program plan shall be developed by the
13 department for each child accepted for the residential medical care
14 program.

15 (b) The plan shall provide for all services required by the child
16 including

- 17 (1) nursing care;
- 18 (2) medical care, including any needed treatment by a
19 specialist on a referral, consultative, or on-going basis;
- 20 (3) respiratory therapy or devices;
- 21 (4) routine and emergency dental care;
- 22 (5) nutritional consultation from a trained professional, and
23 supervision of nutritional requirements;
- 24 (6) communication disorder therapy;
- 25 (7) physical and occupational habilitation and rehabilitation
26 therapy and devices;
- 27 (8) education;
- 28 (9) recreation and recreational therapy;
- 29 (10) psychological counseling; and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

(11) transportation.

Sec. 47.09.050. COST. Within the limits of appropriations made for the purpose, the residential medical care program shall be made available to eligible children at no cost or at partial cost. However, medical insurance benefits available to a child shall be used as payment for the child's medical treatment under the residential medical care program.

Sec. 47.09.060. DEFINITION. In this chapter "department" means the Department of Health and Social Services.